

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

THANH NUU NGUYEN,

Defendant.

NO. CR11-25-RAJ

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on November 8, 2012. The United States was represented by Assistant United States Attorney Norman Barbosa, and the defendant by Kyana Stephens.

The defendant had been charged with Conspiracy to Distribute in Excess of 100 kilograms of Marijuana, in violation of 21 U.S.C. § 846. On or about October 10, 2003, defendant was sentenced by the Honorable William D. Quarles in the District of Maryland, to a term of 109 months in custody, to be followed by 4 years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in a substance abuse programs, financial disclosure, \$10,000 fine, report to INS as directed and if deported or removed, not return to the United States illegally.

1 In a Petition for Warrant or Summons dated August 21, 2012, U.S. Probation Officer
2 Andrew J. Lorenzen asserted the following violation by defendant of the conditions of his
3 supervised release:

- 4 1. Committing the Crime of Driving While Under the Influence of Alcohol, on or
5 about August 8, 2012, in Fremont, CA, in violation of a general condition of
6 supervision.
- 7 2. Consuming alcohol to excess on or about August 8, 2012, in Fremont, CA, in
8 violation of standard condition number 7.
- 9 3. Leaving the Judicial District without permission of the probation officer, on or
10 about August 8, 2012, in violation of standard condition number 1.
- 11 4. Failure to notify the probation officer within 72 hours of being arrested or
12 questioned by a law enforcement officer, on or about August 11, 2012, in
13 violation of standard condition number 11.

14 The defendant was advised of his rights, acknowledged those rights, and admitted to
15 violations 1, 2, 3 and 4.

16 I therefore recommend that the Court find the defendant to have violated the terms and
17 conditions of his supervised release as to violations 1, 2, 3 and 4, and that the Court conduct a
18 hearing limited to disposition. A disposition hearing on this violation has been set before the
19 Honorable Richard A. Jones on November 30, 2012 at 10:00 a.m.

20 Pending a final determination by the Court, the defendant has been detained.

21 DATED this 8th day of November, 2012.

22 
23 JAMES P. DONOHUE
24 United States Magistrate Judge

25 cc: District Judge: Honorable Richard A. Jones
26 AUSA: Norman Barbosa
Defendant's attorney: Kyana Stephens
Probation officer: Andrew Lorenzen